

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

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| DONALD MICHAEL OUTLAW, | : | CIVIL ACTION |
| <i>Plaintiff,</i> | : | |
| | : | |
| v. | : | |
| | : | NO. 21-1290 |
| CITY OF PHILADELPHIA, | : | |
| JEFFREY PIREE and HOWARD | : | |
| PETERMAN, in their individual | : | |
| capacities, | : | |
| <i>Defendants.</i> | : | |

ORDER

AND NOW, this 5th day of August 2022, upon review of Plaintiff's Motions to Compel (ECF Nos. 105, 106), Defendants' Responses thereto (ECF Nos. 110, 111), the relevant case history and context, including this Court's previous rulings on discovery disputes, this Court makes the following findings:

First, with respect to Plaintiff's Omnibus Motion to Strike Objections and Compel Defendants' Verified Answers to Interrogatories (ECF No. 105), it is **hereby ORDERED** that Plaintiff's Motion (ECF No. 105) is **DENIED**.

Second, with respect to Plaintiff's Omnibus Motion to Strike Objections and Compel Defendant City of Philadelphia's Production of Specific Outstanding Discovery Requests (ECF No. 106), it is **hereby ORDERED** as follows:

1. Plaintiff's request to compel supplemental responses or confirmation that a diligent search has been conducted and no responsive documents exist for Plaintiff's First Set of Requests for Production of Documents Nos. 6 and 50 (as revised in scope by Plaintiff on June 17, 2022) is **DENIED as moot**. ECF No. 110 at 5.

2. Plaintiff's request to compel supplemental responses or confirmation that a diligent search has been conducted and no responsive documents exist for Plaintiff's First Set of Requests for Production of Documents Nos. 42 (as revised by Plaintiff on June 17, 2022) and 71 is **DENIED as moot**. ECF No. 110 at 5.
3. Plaintiff's request to compel supplemental responses or confirmation that a diligent search has been conducted and no responsive documents exist for Plaintiff's Third Set of Requests for Production of Documents No. 9 is **DENIED**.
4. Plaintiff's request to compel supplemental responses or confirmation that a diligent search has been conducted and no responsive documents exist for Plaintiff's Third Set of Requests for Production of Documents No. 10 is **DENIED**.
5. Plaintiff's request to compel supplemental responses or confirmation that a diligent search has been conducted and no responsive documents exist for Plaintiff's Sixth Set of Requests for Production of Documents No. 1 is **DENIED as moot**. ECF No. 110 at 7.
6. Plaintiff's request to compel supplemental responses or confirmation that a diligent search has been conducted and no responsive documents exist for Plaintiff's Eighth Set of Requests for Production of Documents No. 1 is **DENIED as moot** as the City of Philadelphia has agreed to produce the color copies of any autopsy photos of Jamal Kelly. ECF No. 110 at 7.
7. Plaintiff's request to compel substantive written responses and produce all responsive documents for Plaintiff's First Set of Requests for Production Nos. 23, 24, 29, 31, 32, 38, 46, and 57 is **DENIED**.

8. Plaintiff's request to compel substantive written responses and produce all responsive documents for Plaintiff's First Set of Requests for Production No. 53 seeking training and educational material relied upon by the Defendant Detectives at the time of the investigation of the Jamal Kelly homicide as the basis for any belief that the Defendant Detectives had probable cause to arrest or detain Plaintiff is **DENIED as moot**. ECF No. 110 at 10–11.
9. Plaintiff's request to compel substantive written responses and produce all responsive documents for Plaintiff's First Set of Requests for Production No. 60 is **DENIED**.
10. Plaintiff's request to compel substantive written responses and produce all responsive documents for Plaintiff's Fifth Set of Requests for Production No. 1 is **DENIED**.

Based on the above rulings, the Court finds that there is no longer a need for the Motion to Compel Hearing scheduled for Monday, August 8, 2022 at 9:00 a.m. Accordingly, it is **further ORDERED** that the Motion to Compel Hearing scheduled for Monday, August 8, 2022 at 9:00 a.m. is **canceled**.

BY THE COURT

/s/ Chad F. Kenney

CHAD F. KENNEY, JUDGE